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INTELLECTUAL PROPERTY LAW

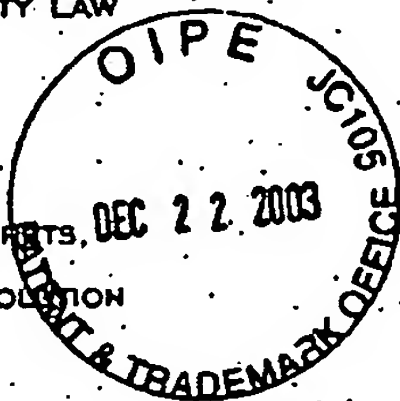
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AND RELATED MATTERS



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(1938-1999)

November 25, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 10/646,394 filed August 22, 2003  
Applicant: James A. Grady, Jr.  
Title: **LED WARNING BEACON**  
Group Art Unit:  
Attorney Docket No. 21956.NP

Sir/Madam:

Transmitted herewith for filing and pursuant to 37 C.F.R. §§ 1.56 and 1.97 is an Information Disclosure Statement.

Enclosed also are the following designated documents, as required under 37 C.F.R. §§ 1.97 and 1.98:

- ☒ Form PTO-1449 list of 48 references submitted for consideration.
- ☒ Legible copies of the listed references or their relevant portions.
- ☐ All English translations of each non-English reference, if any, within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) (see 37 C.F.R. § 1.98(c)).

Best Available Copy

The following are included within the Information Disclosure Statement if applicable and as required under 37 C.F.R. § 1.98:

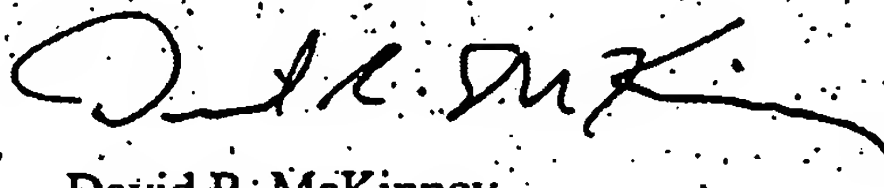
- ☐ Concise explanation of relevance of each reference not in English and unaccompanied by an English translation.
- ☐ Statement that certain listed references not enclosed are substantially cumulative of an enclosed reference.
- ☐ Statement that certain listed references not enclosed were previously cited by or submitted to the Office in the identified prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

In order to secure consideration of the items designated above, one or more of the following, if required, is also enclosed:

- ☐ Statement under 37 C.F.R. § 1.97(e)(1) or (2):
- ☐ Check No. \_\_\_\_\_ in the amount of \$0.00 (amount in § 1.17(p)) constituting the submission fee set forth in 37 C.F.R. § 1.17(p).

In the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that the Statement meets the requirements of 37 C.F.R. § 1.97(e), or in any other event remediable by a fee, please credit any over payment or charge any additional fees to Deposit Account No. 20-0100 of the undersigned.

Respectfully submitted,



David R. McKinney  
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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.  
21956.NPSERIAL NO.  
10/646,394

APPLICANT James A. Grady, Jr.

FILING DATE  
August 22, 2003

GROUP

## LIST OF PRIOR ART CITED BY APPLICANT

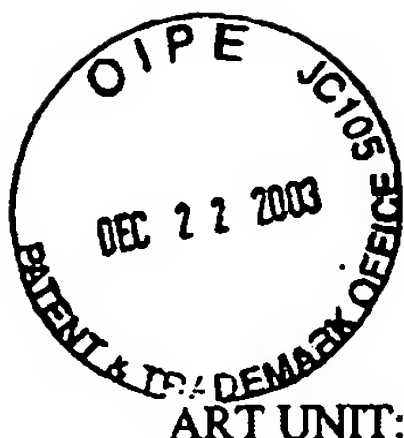
EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A29	5,313,187	5/17/94	Choi			
	A30	5,149,190	9/22/93	MacKenzie			
	A31	4,999,753	3/12/91	MacKenzie			
	A32	5,585,783	12/17/96	Hall			
	A33	5,929,788	7/27/99	Vukosic			

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	A34	WO 02/41276	5/23/02	PCT			
	A35	WO 01/10676	2/15/01	PCT			
	A36	WO 91/06078	5/2/91	PCT			

## OTHER PRIOR ART (Including Author, Title, Pertinent Pages, Etc.)

	A37	Silver Traffic Products brochure - undated
	A38	Solar Marking Light brochure; Carmanah Model 501, One Mile Marking Light 12-11-2001.
	A39	Federal Signal Corporation; Signaltech Led Warning Lights; 2 page ad, 2002.
	A40	North American Signal Company; Action-Lite Mini-Bars; 2 page ad - undated.
	A41	Specialty Manufacturing; Model 205 Mini Strobe and Series 500-615 and Series 700-995; 1 page ad from <a href="http://www.specmfg.com/products_5.html">www.specmfg.com/products_5.html</a> , 10/23/02..
	A42	JC Whitney Parts and Accessories; 1,000,000-CandlePower Strobe Lights; 1 page ad from <a href="http://www.jcwhitney.com/product.jhtml?CATID=4808&amp;BQ=jcw2">www.jcwhitney.com/product.jhtml?CATID=4808&amp;BQ=jcw2</a> , 10/23/02.
	A43	JC Whitney Parts and Accessories; Double-Flash Zenon Strobe Lights; 1 page ad from <a href="http://www.jcwhitney.com/product.jhtml?CATID=4809&amp;BQ=jcw2">www.jcwhitney.com/product.jhtml?CATID=4809&amp;BQ=jcw2</a> , 10/23/02.
	A44	360° Strobe Lights; 2 page ad from <a href="http://www.strobe-direct.com">www.strobe-direct.com</a> , 9/16/02.
	A45	Karst Sports; Speleo Technics, CX-LED, 1 page ad from <a href="http://www.karstsports.com">www.karstsports.com</a> , 10-30-01.
	A46	LED 3V Warning Device #499L3; 1 page ad from <a href="http://www.empco-lite.com">www.empco-lite.com</a> , 9-16-02.
	A47	Lumastrobe, Strobe Lights, Warning Lights and Flashers; 1 page ad for The Helo-Quad Pack M-2 from <a href="http://www.lumastrobe.com">www.lumastrobe.com</a> , 9/16/02.
	A48	Austin Electronics - Standard Strobe - Litesaver emergency strobe lights beacons; 1 page ad from <a href="http://www.litesaver.net">www.litesaver.net</a> , 10/17/02.
EXAMINER		DATE CONSIDERED



IN THE UNITED STATES PATENT & TRADEMARKS OFFICE

10/2

ART UNIT:

EXAMINER:

APPLICANT: James A. Grady, Jr.

SERIAL NO.: 10/646,394

FILED: 8/22/2003

CONFRM. NO.:

FOR: LED WARNING BEACON

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8**

DATE OF DEPOSIT: 12-18-03

I hereby certify that this paper or fee (along with any paper or fee referred to as being attached or enclosed) is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
David R. McKinney

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir/Madam:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed pursuant to:

☒ 37 C.F.R. § 1.97 (b)(1) or (3), within three months of the filing date of the application, or before a first office action on the merits, whichever occurs last;

☐ 37 C.F.R. § 1.97 (c), after a first office action on the merits, but before a Final Office Action or a Notice of Allowance, whichever occurs first, and is accompanied by either 1) a statement in accordance with 37 C.F.R. § 1.97(e), or 2) the fee set forth in § 1.17(p); or

☐ 37 C.F.R. § 1.97 (d), after a Final Office Action or Notice of Allowance, whichever occurs first, but on or before payment of the issue fee, and is accompanied by both 1) a statement in accordance with 37 C.F.R. § 1.97(e), and 2) the fee set forth in § 1.17(p).

ref 3

While no representation is made that any of these references may be "prior art" within the meaning of that term in accordance with 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

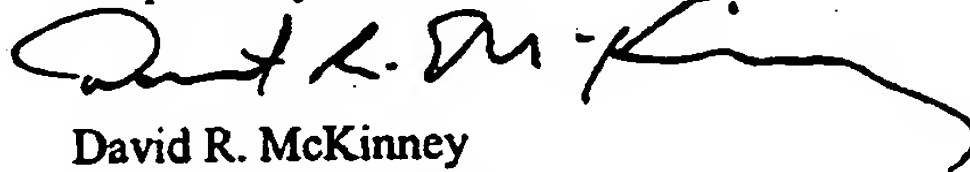
In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which was not previously submitted to, or cited by, the Patent Office is also enclosed.

For all listed references that are not either in the English language, or accompanied by a translation into English, a concise explanation of relevance as required under 37 C.F.R. § 1.98(a)(3) is enclosed attached to each.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or to credit any overpayment to Deposit Account No. 20-0100.

Dated this 18<sup>th</sup> day of December, 2003.

Respectfully submitted,

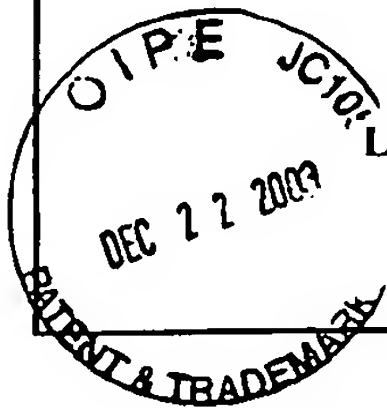


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DRM/VWN/kj  
Enclosure  
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PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE LIST OF PRIOR ART CITED BY APPLICANT	ATTY. DOCKET NO. 21956.NP	SERIAL NO. 10/646,394
	APPLICANT James A. Grady, Jr.	
	FILING DATE August 22, 2003	GROUP _____



U.S. PATENT DOCUMENTS

EXAMINER INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
BAS	A1	5,644,291	7/1/97	Jozwik	340	472	
BAS	A2	6,292,097	9/18/01	Tewell	340	471	
BAS	A3	5,684,452	11/4/97	Wang	340	321	
BAS	A4	5,838,259	11/17/98	Tonkin	340	903	
BAS	A5	5,602,522	2/11/97	Pacelli	340	331	
BAS	A6	5,963,126	10/5/99	Karlin	340	321	
BAS	A7	5,057,815	10/15/91	Smoot	340	468	
BAS	A8	5,831,522	11/3/98	Weed	340	473	
BAS	A9	6,275,149	8/14/01	Tung	340	473	
BAS	A10	5,313,188	5/17/94	Choi	340	331	
BAS	A11	6,371,637	4/16/02	Atchinson	362	555	
BAS	A12	3,800,430	4/2/74	Samra	340	95R	
BAS	A13	4,574,269	3/4/86	Miller	340	815.06	
BAS	A14	5,394,138	2/28/95	Stephens	340	463	
BAS	A15	5,323,728	6/28/94	Hjelm	116	63T	
BAS	A16	6,414,662	7/2/02	Havel	345	83	
BAS	A17	3,987,401	10/19/76	Irving	325	455	
BAS	A18	6,155,694	12/5/2000	Lyons	362	228	
BAS	A19	5,319,367	6/7/94	Schulte	340	961	
BAS	A20	5,594,433	1/14/97	Terlep	340	908.1	
BAS	A21	5,627,513	5/6/97	Weed	340	473	
BAS	A22	5,754,097	5/19/98	Vredenburg	340	432	
BAS	A23	4,298,869	11/3/81	Okuno	340	332	
BAS	A24	5,877,681	3/2/99	Williams	340	471	
BAS	A25	5,804,829	9/8/98	Palmer	250	504H	
BAS	A26	5,585,782	12/17/96	Yosko	340	471	
BAS	A27	5,970,639	10/26/99	Hui	40	610	
BAS	A28	6,547,410	4/15/03	Pederson	362	35	